

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL No. 2804

Hon. Dan Aaron Polster

This document relates to:

All Hospital Cases

**PHARMACY DEFENDANTS' NOTICE REGARDING
THE BARRETT LAW GROUP'S MOTION TO APPOINT
INTERIM CLASS COUNSEL FOR HOSPITAL CASES**

By this notice, the Pharmacy Defendants¹ hereby advise the Court that none of the Pharmacy Defendants have been served with the complaint in *Southwest Mississippi Regional Medical Center, et al. v. AmerisourceBergen Drug Corp., et al.*, Case No. 1:17-op-45175 in violation of CMO-1 and Fed. R. Civ. P. 4(m). As a result, the Pharmacy Defendants have not been served with any pleadings, motions or papers in this matter and were unaware that the Motion had even been filed until it was raised to their attention by counsel for another defendant.²

¹ The Pharmacy Defendants joining this response are Walmart, Inc.; Walgreen Co.; Walgreen Eastern Co., Inc.; Walgreens Boots Alliance, Inc.; and CVS Pharmacy, Inc..

² To be clear, the Pharmacy Defendants would oppose Plaintiffs' motion both on the merits and procedural grounds. If the Court is inclined to consider the merits of the Motion as to the Pharmacy Defendants notwithstanding the wholesale absence of service of process, the Pharmacy Defendants respectfully request an opportunity to respond substantively to the Motion and relief requested.

Dated: June 7, 2023

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